

PRESENT:

Grant S. Nielson	Mayor and presiding
Don Bird	Council Member
Max Bennett	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

OTHERS PRESENT:

Neil Forster	Public Works Superintendent
Ray Valdez	City Building Inspector
John Quick	City Engineer
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder

Leland J. Roper
 Lyndon Callister
 Jack Grayson
 Robert Harris
 Dee Church
 Jim Robson
 Mrs. Kenneth Kawue
 Gil Trujillo
 Pat Davies

Mayor Nielson, Being present, called the meeting to order at 7:00 p.m. Dorothy Jeffery, being present, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Public Hearing held December 28, 1981 were presented for council's review and consideration for approval. The hearing was for the purpose of receiving public comment on the proposed project area redevelopment plan. After Council had reviewed the minutes Council Member Bennett MOVED the minutes be approved as presented, the motion was SECONDED by Council Member Bennett. Motion carried with an affirmative vote.

ACCOUNTS PAYABLE FOR MONTH OF DECEMBER

The accounts payable for the month of December were presented by City Recorder, Dorothy Jeffery for the Council Members review and consideration for approval of payment. Following a discussion of the accounts, Council Member Bennett MOVED that council approve the items for payment. The motion was SECONDED by Council Member Bird and received the unanimous affirmative vote of all Council Members present.

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ADOPTION OF TITLE NINE - (BUSINESS LICENSE) CODE OF ORDINANCE

Attorney Peterson presented Council Members with copies of the Title Nine (Business License) Section of the Code of Ordinances. Attorney Peterson and Council Member, Willis Morrison explained in detail the changes that have been included in the proposed ordinance. They explained that the beer and liquor license ordinance was adopted as a separate ordinance last year but was included in this Business License Ordinance as one document.

Council Member Dafoe asked how the license fee schedule was established. Attorney Peterson explained Councilman Callister was the councilman in charge of the Business License Department last year and had completed the research on the amounts of the fee schedule.

At this point in the meeting, Mayor Nielson recognized Mr. Jim Robson from the floor, who stated he felt the fee schedule was much higher than other cities and requested council consider reviewing the amounts of the fees.

Mayor Nielson informed Mr. Robson, a group of businessmen were scheduled to be on the agenda of the January 11, City Council meeting to discuss the license fee schedule and invited him to attend the meeting. Councilman Bird explained to Mr. Robson that a public hearing had been held regarding the license fee schedule and that it was discussed at two (2) different council meetings and there were no business people at any of the meetings, even though notice had been given and specific invitations made.

Following further discussion of Title Nine - (Business License) of the Code of Ordinances, Council Member Morrison MOVED Council adopt Ordinance #82-34 entitled:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF DELTA UTAH (ORDINANCE #82-34) TO PROVIDE FOR LICENSING, CONTROL AND REGULATION OF BUSINESSES WITHIN THE CITY OF DELTA AND TO PROVIDE SPECIFIC PROVISIONS RELATING TO CERTAIN BUSINESSES AND ESTABLISHING REMEDIES FOR ENFORCEMENT.

The motion was SECONDED by Council Member Hansen. Mayor Nielson asked if there were any further questions or comments regarding the proposed ordinance. There being none, he then called for a roll call vote on the motion. Voting was as follows:

Council Member Don Bird	Yea
Council Member Max Bennett	Yea
Council Member Don Dafoe	Yea
Council Member Ruth Hansen	Yea
Council Member Willis Morrison	Yea

Mayor Nielson then signed the ordinance in open meeting. It was attested by City Recorder, Dorothy Jeffery and accepted as part of the official records of Delta City. Copies of the ordinance are on file in the office of the City Recorder for public review.

PENDRAY'S AMENDED PRELIMINARY PLAT

Mr. Robert Pendray displayed a plat of the proposed amended preliminary plat for council to review, he then explained the past activities of his project and the council action that had been taken regarding the matter to the present time.

Council Member Morrison stated his opinion was still the same as it had been at the previous meeting at which the council requested access roads into the Harris property from the Pendray property and a letter from Pendray's stating they would relinquish any interest in 4th North Street if the city vacates said street.

There was a lengthy discussion of the matter followed by a MOTION by Council Member Bennett that Council approve Mr. Pendray's request for approval of the revised Pendray Preliminary dated October 07, 1981, with the conditions that the North East Corner (lots #7, #10 and #11) of the project be studied prior to any construction being started and if found necessary, Pendray's will supply an access road from their property to the Harris property. Attorney Peterson was instructed to write a letter to this effect and Pendrays were to sign the letter, the motion was SECONDED by Council Member Bird.

Mayor Nielson asked if there were any other questions or comments on the pending motion. Council Member Morrison asked if Planning/Zoning Committee or the City Engineer, John Quick, were to decide some access roads were needed in that area, could those conditions be imposed prior to the final plat being approved? Attorney Peterson explained that you approve the final plat only if it agrees with the preliminary plat, if the preliminary plat has conditions those conditions must be met prior to the final plat being approved.

After further discussion, Mayor Nielson called for a roll call vote on the motion, voting was as follows:

Council Member Don Bird	Yea
Council Member Max Bennett	Yea
Council Member Don Dafoe	Yea
Council Member Ruth Hansen	Yea
Council Member Willis Morrison	Yea

Mayor Nielson asked if there were any comments or business any one in attendance at the meeting wanted to make before the next item on the agenda was discussed.

Mr. Dee Church requested a decision from the council regarding his previous request for the vacating of a street between 4th and 5th West on 5th North.

Mr. Church displayed a map of the street and the property adjacent to the street for council's review and a letter from Mr. Lyle Bunker, an adjacent property owner, stating he has no objections to the city vacating the aforementioned street, provided that the easement he has in the street between 4th West and 5th West in not disturbed.

There was some discussion of the possibility of the complete street being vacated. It was the opinion of the council that portion of the street Mr. Church was requesting to be vacated should be considered at the next council meeting and the rest of the street would be discussed at a later date.

Council Member Bennett MOVED Attorney Peterson be instructed to prepare an ordinance to vacate the street between 4th and 5th West on 5th North to be presented at the next city council meeting for council's consideration of adoption. The

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Treasurer be made and recommended that Dorothy Jeffery be reappointed as City Recorder and Lillie Dawson be reappointed as City Treasurer. Council Member Bennett MOVED Dorothy Jeffery be appointed as Delta City Recorder and Lilli Dawson be appointed as the Delta City Treasurer. The motion was SECONDED by Council Member Bird and received the unanimous affirmative vote of all council members present.

The next appointment to be made was the Delta City Chief of Police. Council Mamber Bennett MOVED that the present Chief of Police, Roy Wodd, be appointed for the position. The motion was SECONDED by Council Member Morrison. Mayor Nielson called for a vote on the motion. The motion was given the unanimous approval.

APPOINTMENT OF BOARDS AND COMMISSIONS

Mayor Nielson reviewed the present members of the planning/Zoning Commission with the council as well as the vacant positions. After some discussion of the candidates to fill the two (2) vacancies, Mayor Nielson nominated Jack Fowles and Pat Davies.

Pat Davies was in attendance at the meeting and was asked if she would accept the position. She accepted.

Mayor Nielson stated he had spoken to Mr. Fowles regarding the possibility of being a member of the Planning/Zoning Commission and he had stated he would accept if the position were offered to him.

Council Member Bennett MOVED that Council appoint Jack Fowles and Pat Davies as members of the Planning/Zoning Commission, each with a four (4) year term. The motion was SECONDED by Council Member Morrison and carried unanimously.

The following persons are the nine members of the Planning/Zoning Commission:

- | | |
|----------------|--------------------------|
| Don Dafoe | Council Member in charge |
| Roland Dutson | Member |
| Rochelle Watts | Member |
| Sherri Lewis | Member |
| Austin Astle | Member |
| Ray Little | Member |
| Bruce Taylor | Member |
| Jack Fowles | Member |
| Pat Davies | Member |

Mayor Nielson was asked to write a letter informing the new members of their appointments.

BOARD OF ADJUSTMENT APPOINTMENTS

It was the opinion of the council that the members of the present Board of Adjustment should be contacted and asked if they were interested in remaining on the Board prior to making any appointments.

FIRE DEPARTMENT CHIEF APPOINTMENT

The appointment of Fire Chief was tabled until such time as the Fire Department Members could be contacted for their recommendations.

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BOARD OF APPEALS APPOINTMENTS

The appointments for the License Hearing Board was tabled until the January 11, 1982 City Council Meeting.

OTHER BUSINESS DISCUSSED

1. Mayor Nielson questioned Superintendent Forster as to why so many street lights were burned out on the main street. Superintendent Forster explained he had been unable to purchase the necessary materials to repair them because of the antiquated type of street lights, but he was going to contact other suppliers to see if the necessary parts could be obtained.
2. Mayor Nielson asked for Council's permission to write a letter to the Utah State Hwy. Department informing them of the hazard that had been created by the construction of the new intersections of 50 & 6 because of it not being lighted.

Council Member Bennett stated the Hwy. Dept. had agreed to purchase the lights and Utah Power and Light Company was to install them afterwhich the city would maintain them but to date the lights have not been purchased.

It was the opinion of the council members the Mayor should write the letter.

3. Council Member Bird explained to the council members a problem has been created with Jack Grayson dumping sewerage from his R.V. Park into the city sewer system. Mr. Grayson had met with the council some time ago requesting approval to use the sewer system and the request had been denied.

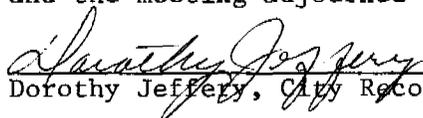
Council Member Bird stated he felt there is a need for a place for these R.V. Trailers to be able to dump their sewerage and requested council's approval to research the problem with the assistance of the City Engineer John Quick. The City Council agreed to the request.

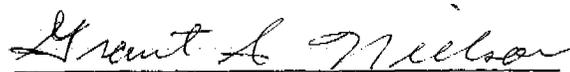
4. Council Member Morrison informed council members there were several applications received for the city administrator position and suggested each council member read them prior to the January 11 meeting so they can be discussed at that time.
5. Gil Trujillo requested the Council appoint a committee to work with the Chamber of Commerce in appointing some of the committees that will be necessary for the activities of the Redevelopment District Project.

Council asked Mr. Trujillo to present a list of names to the Redevelopment Agency for their approval.

6. Attorney Peterson gave a report on the meeting he and Council Member Morrison had with IPP Representatives regarding the study of storm drainage in the eastern portion of the city.

Mayor Nielson asked if there were any additional business or comments anyone wished to make. There being none, Council Member Bennett MOVED the meeting be adjourned. The motion was SECONDED by Council Member Bird. The motion carried and the meeting adjourned at 11:05 p.m.


Dorothy Jeffery, City Recorder


Grant S. Nielson, Mayor